

REMARKS

Claims 1-119 are presently pending in this application upon entry of this Amendment. Claim 120 has been canceled without prejudice or disclaimer. Reconsideration and allowance of the rejected claims are respectfully requested in view of the following remarks.

As a preliminary matter, the Applicants thank the Examiner for the courtesies extended by the Examiner and his supervisor during the interview of July 18, 2007. During the interview, the Applicants argued that the term "single transfer lens", should be construed in the singular sense, per the plain meaning of the term. Applicants cited case law in support of their assertion, which is provided below. In addition, Applicants offered that the term "only" could be added to the claims to further clarify the terminology.

Examiner appeared to be persuaded – particularly with the additional claim amendment, but informed Applicants that he would need to perform an additional search before allowance could be reached.

Claim Rejections Under 35 USC § 102

Claims 1-8, 10-14, 34-44, 61-75 and 116-120 are rejected under 35 U.S.C. 102(b) as being anticipated by Grier (6,055,106). Applicants respectfully traverse this rejection.

The Applicants respectfully submit that Grier et al. do not teach or suggest a phase patterning diffractive optical element having a variable optical surface to form a plurality of beamlets, each beamlet having a phase profile; nor only a single transfer lens through which beamlets are directed from the phase patterning optical element, to form the multiple optical traps, as recited in Claim 1, and as substantially recited in Claims 10 and 116.

Amendment Under 37 C.F.R. § 1.116
U.S. Application No.: 10/701,324

Atty Dkt No.: 71527-00003
Customer Number 57362

Applicants hereby petition for any extensions of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-0951.

Respectfully submitted,

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